

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: HILL et al.  
Serial No.: 09/342,707  
Filed: June 29, 1999  
For: METHOD OF FABRICATING BRAGG GRATINGS USING  
A SILICA PHASE GRATING MASK AND MASK USED  
BY SAME

*Pre  
5/C*

AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

December 23, 1999

Sir:

In supplement to the preliminary amendment filed on November 12, 1999, please further amend the above-identified reissue application as follows:

IN THE CLAIMS

✓ Please cancel new claims 30-40 and 42 without prejudice or disclaimer of the subject matter thereof.

REMARKS

Entry of this amendment is respectfully requested.

The present amendment is being filed in accordance with the recommendation of Administrative Patent Judge Lee during a telephone conference conducted on December 17, 1999 between Judge Lee and representatives of all parties in Interference No. 104,331. During the telephone conference, the recent decision of Winter et al. v. Fujita et al. decided on November 16, 1999 by the Board of Patent Appeals and Interferences in